



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Findings for exemption under Public Resources Code

MEETING DATE: December 16, 1992

PREPARED BY: Assistant City Manager

RECOMMENDED ACTION: That City Council adopt the following findings to be incorporated in the record of proceedings at its October 21, 1992 meeting:

The City Council of the City of Lodi hereby finds and declares pursuant to Public Resources Code Section 21080 that the refuse collection rates established in Ordinances 1558 and 1559 are necessary and reasonable for the usual operating expenses of the Franchisee, including employee wages and benefits and for the purpose of purchasing facilities, equipment, and materials necessary to implement and carry out a Council-mandated recycling program.

BACKGROUND INFORMATION: On October 21, 1992, City Council adopted rates for residential and commercial solid waste collection in the City of Lodi. It has been called to staff's attention that findings should have been included in the record of this proceeding claiming an exemption under Section 21080(b) of the Public Resources Code. Section 21080(a) indicates that preparation of environmental impact reports apply to discretionary projects proposed to be carried out or approved by public agencies. Section 21080(b) states, "This division shall not apply to the following: (8) The establishment, modification, structuring, restructuring, or approval of rates, tolls, fares, or other charges by public agencies . . ." To claim this exemption, the City has prepared findings stating the basis for the claim.

FUNDING: None

Respectfully submitted,

Gerry L. Glenn
Assistant City Manager

prepared by Kirk J. Evans
Administrative Assistant to the City Manager

APPROVED

THOMAS A. PETERSON
City Manager

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